

FILED
by _____ TIME _____

By AMY J HUNLEY Clerk of Superior Court Deputy

Case No.: CR201800252
Division: One
Court Reporter: Penny Nyander
Hearing: Evidentiary Hearing
Date: January 10, 2019

Vs
JUSTIN ALEXANDER COPELAND,
By: Kevin Oursland, Deputy Public Defender

[illegible]

05:48:01/16/2017

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA, In and for the County of Cochise

JUDGE: HONORABLE LAURA CARADINAL

DIVISION: One

COURT REPORTER: Penny Nyander

INTERPRETER: -----

AMY J. HUNLEY, Clerk of the Superior Court

by: Angelia Bates (1/10/2019), Deputy Clerk

HEARING DATE: 01/10/2019

STATE OF ARIZONA,

Plaintiff,

VS

**JUSTIN ALEXANDER COPELAND,
DOB: 07/17/1985**

Defendant.

CASE NO: S0200CR201800252

**MINUTE ENTRY: EVIDENTIARY HEARING ON
RULE 404(B) AND RUL3 404(C)**

HEARING START TIME: 09:00 AM

HEARING END TIME: 11:31 AM

Present for State: Sara Ransom, Deputy County Attorney

Present: Detective Andrew Haldorson

Defendant present and by: Kevin Oursland, Deputy Public Defender

Defendant in custody: No

This matter came before the Court for an Evidentiary Hearing on Rule 404(B) and Rule 404(C).

THE RECORD MAY SHOW that State's exhibits 1 through 9 were presented to the clerk at the beginning of the hearing for marking and Defendant's exhibits A and B were presented to the clerk during the hearing for marking.

The Court has read the motion, response and reply. The Motion for Witness appearing telephonically was **GRANTED**.

The Court **DENIED** Mr. Oursland's request for a continuance.

Ms. Ransom stated that 404(C) was not applicable today however, 404(B) is applicable and all the evidence the State will be presented should be admitted under 404(B), other acts.

Ms. Ransom addressed the Court testimony and regarding witness, Sara Bailey.

Mr. Oursland addressed the Court regarding testimony and stated he had no witnesses to call and had received disclosure.

Discussion was held regarding testimony of the Defendant's recent girlfriend, last name, Tekin.

Upon the request of Ms. Ransom, State's exhibits 1 through 9 and Defendant's exhibits A and B were admitted into evidence on stipulation of the parties.

Ms. Ransom called as a witness, DETECTIVE ANDREW HALDORSON, who, having been duly sworn and under oath was direct examined, questioned by the Court, cross examined, re-direct examined and excused from the stand.

At 10:25 a.m., the Court called for a short recess.

At 10:41 a.m., the Court reconvened with all previously announced parties present.

Ms. Ransom called as a witness, KAYLA HENDRIX, appearing telephonically, who, having been duly sworn and under oath was direct examined, cross examined, re-direct examined, re-cross examined and excused.


The Court stated that the State's request has been modified to a ruling on admissibility of 404(B) evidence under that standard and not 404(c) at all. Upon inquiry by the Court, Ms. Ransom stated that was correct.

Ms. Ransom requested that the State could submit the proposed findings of fact and conclusions of law, in addition to testimony, cite to the other transcripts in the record.

Ms. Ransom presented State's exhibit 10, which is video and audio and requested that exhibit 10 be admitted and sealed. Ms. Ransom requested that the State be allowed to submit State's exhibit 11 once completed the J. Russell and A. Roselli body cam footage.

Ms. Ransom stated on the record the title for each State exhibit 1 through 10.

The Court stated that findings and proposed orders to be submitted by January 25, 2019. Mr. Oursland has to February 1, 2019 to reply and Ms. Ransom has to February 8, 2019 to reply.

 xc: e-mailed (e) by: AB date: 01/11/2019; mailed/distributed by: _____ date: _____
☒ County Attorney (e) ☒ Public Defender (e) ☒ DIV One JAA (e) APO (e)

**LAW OFFICES OF THE
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BA
CLERK OF SUPERIOR COURT
BY YM

**Kevin J. Oursland
Deputy Public Defender
Attorney for Defendant
pdmeo@cochise.az.gov**

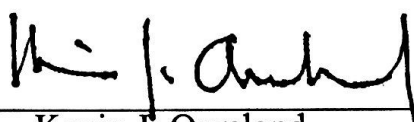
IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF COCHISE

STATE OF ARIZONA,)	No. CR201800252
)	
Plaintiff,)	
)	MOTION TO CONTINUE
vs.)	404 HEARING
)	
JUSTIN COPELAND,)	(Hon. Laura Cardinal, Div. 1)
)	
Defendant.)	

The Defendant, JUSTIN COPELAND, by and through undersigned counsel, hereby moves the Court to continue the Evidentiary Hearing currently scheduled for Thursday, January 10, 2019 at 9:00 a.m. to allow Defendant time to prepare and file a petition for special action to the Arizona Court of Appeals.

RESPECTFULLY SUBMITTED this 9th day of January, 2019.

MARK A. SUAGEE
COCHISE COUNTY PUBLIC DEFENDER

By 
Kevin J. Oursland
Deputy Public Defender